

Hart's Survey No. 9 Easement Vacation

City of El Paso — City Plan Commission — 8/23/2018

SURW18-00002 — Easement Vacation REVISED



STAFF CONTACT: Vanessa Munoz, (915) 212-1644, munozvx@elpasotexas.gov

PROPERTY OWNER: WestStar Tower, LLC

REPRESENTATIVE: CSA Design Group, Inc.

LOCATION: South of Wyoming and West of Mesa, District 8

ACREAGE: 0.119

VESTED: No

PARK FEES REQUIRED: N/A

EXCEPTION/MODIFICATION REQUEST: N/A

RELATED APPLICATIONS: N/A

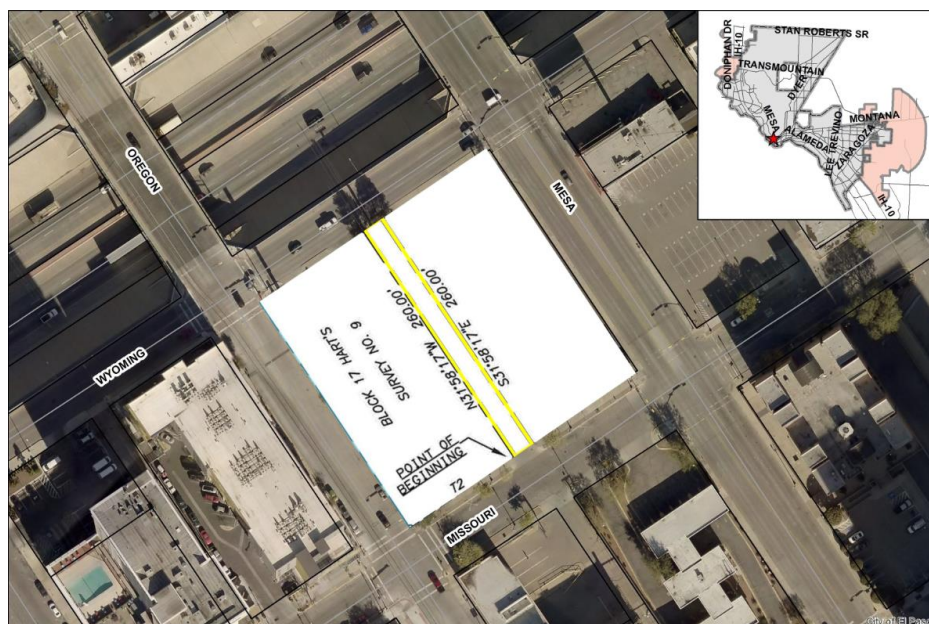
PUBLIC INPUT: N/A

STAFF RECOMMENDATION: **APPROVAL WITH A CONDITION**

SUMMARY OF REQUEST: The applicant seeks to vacate a 0.119-acre public easement. This public easement was reserved after an alley was vacated by Ordinance 6578. The purpose of the vacation is to allow for the construction of a building over the existing easement.

SUMMARY OF RECOMMENDATION: Planning staff recommends **APPROVAL** of the easement vacation, subject to the following condition:

- That the release of easement for El Paso Electric is filed prior to City Council approval.



DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

N/A

RELATION OF PROPOSED APPLICATION TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO: Subject property is designated G1, Downtown

NEIGHBORHOOD CHARACTER: Subject property is zoned C-5 (Commercial) and is currently a parking lot. Properties adjacent to the subject property are zoned C-5 (Commercial). Surrounding land uses are commercial developments. The nearest school is Paso Del Norte Academy – Mesa (9-12) (0.11 miles). The nearest park is Cavalry Man Triangle (0.12 miles). This property is not located within any Impact Fee Service Area.

COMMENT FROM THE PUBLIC: N/A

STAFF COMMENTS:

Planning staff recommends **APPROVAL** of the easement vacation, subject to the following condition:

- That the release of easement for El Paso Electric is filed prior to City Council approval.

PLAT EXPIRATION:

N/A

ATTACHMENTS:

1. Location Map
2. Survey
3. Metes and Bounds
4. Application
5. Department Comments

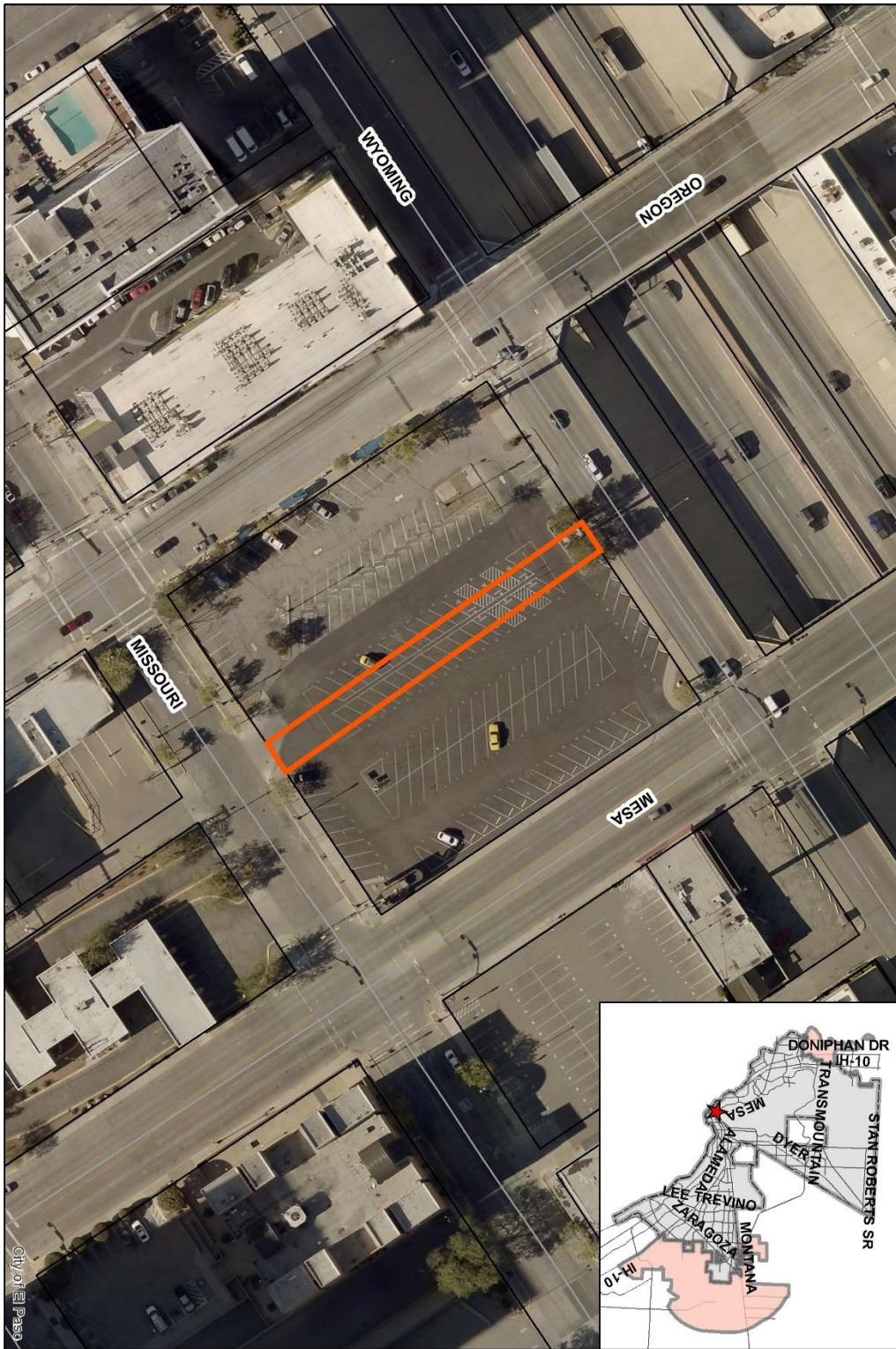
ATTACHMENT 1

HART'S SURVEY NO. 9 EASEMENT VACATION

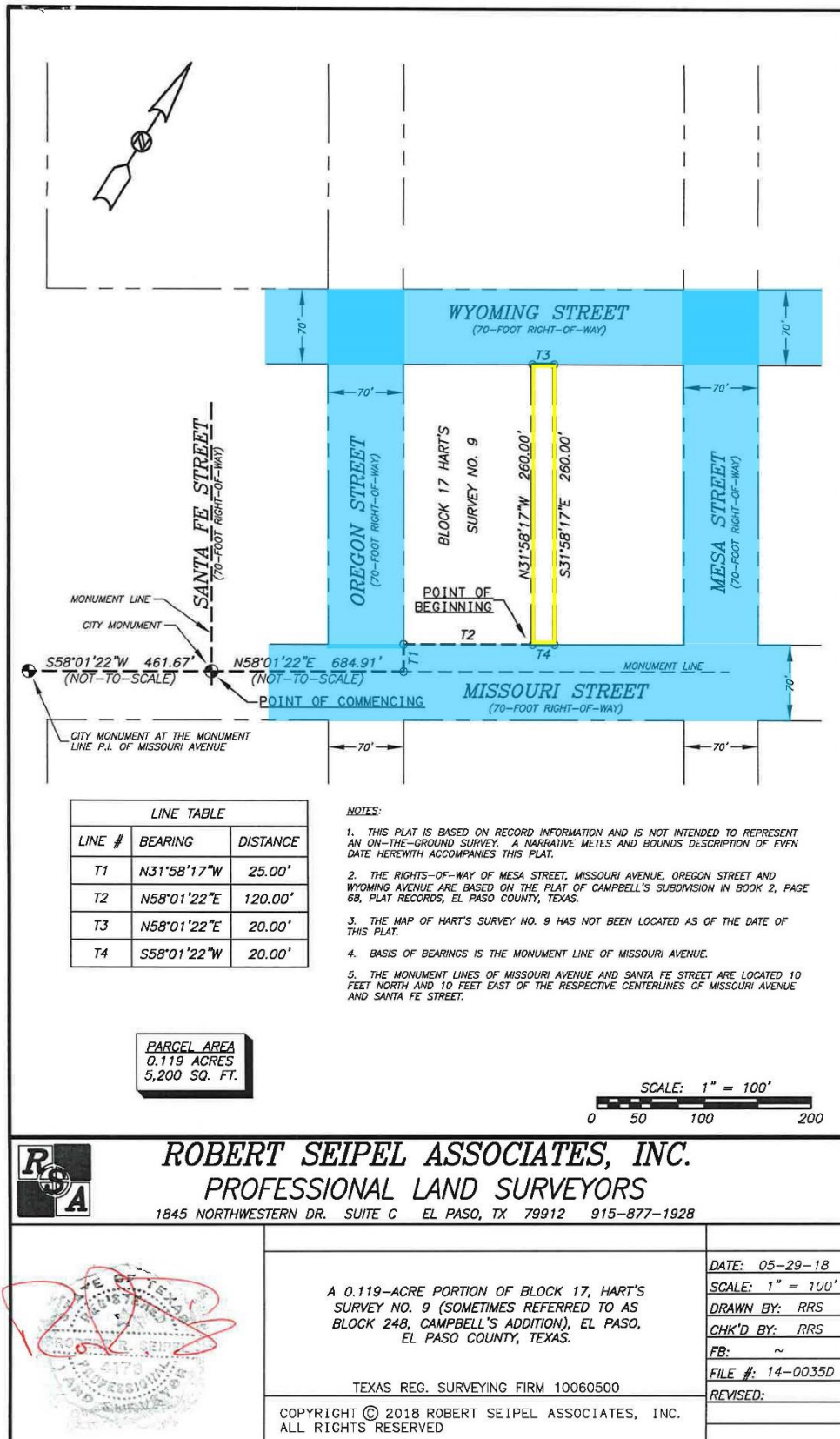
This map is designed for illustrative purposes only. The features depicted here are approximate and more detailed studies may be required to draw accurate conclusions. Engagements of this map to scales greater than 1:10,000 can induce errors and may lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



Hart's Survey No. 9 Easement Vacation



ATTACHMENT 2



ATTACHMENT 3

Property description: A 0.119-acre portion of Block 17, Hart's Survey No. 9 (sometimes referred to as Block 248, Campbell's Addition), El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 0.119-acre portion of Block 17, Hart's Survey No. 9 (sometimes referred to as Block 248, Campbell's Addition), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the intersection of the monument lines of Missouri Street (70-foot right-of-way) and Santa Fe Street (70-foot right-of-way), said monument lines lying 10 feet north and 10 feet east of the respective centerlines of Missouri Street and Santa Fe Street, from which a city monument at the monument line P.I. of Missouri Street bears South 58°01'22" West, a distance of 461.67 feet; Thence, North 58°01'22" East, along the monument line of Missouri Street, a distance of 684.91 feet; Thence, North 31°58'17" West, a distance of 25.00 feet to the intersection of the easterly right of Oregon Street (70-foot right-of-way) and the northerly right-of-way of Missouri Street; Thence, North 58°01'22" East, along said northerly right-of-way, a distance of 120.00 feet to the **POINT OF BEGINNING** of this description;

THENCE, North 31°58'17" West, a distance of 260.00 feet to the southerly right-of-way of Wyoming Street (70-foot right-of-way):

THENCE, North 58°01'22" East, along said right-of-way, a distance of 20.00 feet;

THENCE, South 31°58'17" East, a distance of 260.00 feet to the northerly right-of-way of Missouri Street;

THENCE, South 58°01'22" West, along said right-of-way, a distance of 20.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.119 acres (5,200 square feet) of land more or less.

NOTE: THIS DESCRIPTION IS BASED ON RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT AN ON-THE-GROUND SURVEY. A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

OF
ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500

Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 14-0035D
May 29, 2018

14-0035D.docx

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ATTACHMENT 4



CITY OF EL PASO, TEXAS
APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: 7/11/18 File No. SURW18-00002

1. APPLICANTS NAME CSA Design Group, Inc.
ADDRESS 1845 Northwestern Drive, Suite C ZIP CODE 79912 TELEPHONE (915) 877-4155
2. Request is hereby made to vacate the following: (check one)
Street ☐ Alley ☐ Easement ☒ Other ☐
Street Name(s) _____ Subdivision Name Hart's Survey No. 9 (aka Block 248, Campbell's Addition)
Abutting Blocks 17 Abutting Lots _____
3. Reason for vacation request: Need for easement is no longer required as all utilities have been abandoned / vacated.
4. Surface Improvements located in subject property to be vacated:
None ☐ Paving ☒ Curb & Gutter ☐ Power Lines/Poles ☐ Fences/Walls ☐ Structures ☐ Other ☐
5. Underground Improvements located in the existing rights-of-way:
None ☐ Telephone ☐ Electric ☐ Gas ☐ Water ☐ Sewer ☒ Storm Drain ☐ Other ☐
6. Future use of the vacated right-of-way:
Yards ☐ Parking ☐ Expand Building Area ☐ Replat with abutting Land ☐ Other ☒
7. Related Applications which are pending (give name or file number):
Zoning ☐ Board of Adjustment ☐ Subdivision ☐ Building Permits ☐ Other ☐
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
	<u>A Portion of Block 17, Harts Survey No.9</u>	_____
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. If we further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

**Effective September 1, 2014, a 3% technology fee has been added to all Planning application fees.*

OWNER SIGNATURE:
REPRESENTATIVE:

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 5

PLANNING AND INSPECTION DEPARTMENT – PLANNING:

Planning staff recommends **APPROVAL** of the easement vacation, subject to the following condition:

- That the release of easement for El Paso Electric is filed prior to City Council approval.

PLANNING AND INSPECTION DEPARTMENT – LAND DEVELOPMENT:

We have reviewed subject plats and recommend Approval. No objections to proposed ROW vacation.

CAPITAL IMPROVEMENTS DEPARTMENT – PARKS:

We have reviewed **Hart's Survey No. 9 Easement Vacation** survey maps and on behalf of CID Parks & Planning Division we offer "No" objections to this proposed easement vacation request.

EL PASO WATER:

1. EPWater-PSB does not object to this request. There are no public water or sewer mains along the proposed vacation area.

Water:

2. There is an existing 12-inch diameter water main along Mesa Street. This main is available for service.
3. There is an existing 8-inch diameter water main along Missouri Avenue. This main is available for service.
4. There is an existing 14-inch diameter water main along Oregon Street. This main is available for service.
5. There is an existing 20-inch diameter water main along Wyoming Avenue. No service connections are allowed to this water main as per the EPWU-PSB Rules and Regulations.
6. Previous water pressure from fire hydrant #1607 located on northeast corner of Missouri and Oregon, has yielded a static pressure of 70 psi, a residual pressure of 68 psi, and a discharge of 1,424 gallons per minute.

Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main along the alley between Oregon Street and Mesa Street, this main started on Missouri Street to the south. This main is available for service.

General:

8. EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 8 to 10 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

FIRE:

Recommend approval.

AT&T:

AT&T does not object to this request. AT&T does not have any facilities within.

TEXAS GAS SERVICE:

TGS does not have any objections.

CHARTER COMMUNICATIONS:

Spectrum has no facilities that come in conflict with this abandonment.

TXDOT:

TxDOT met on 7/18/18 with CSA to discuss drainage issues and will review the plans for proposed work on TxDOT right of way and the request for access.

REQUIRES TXDOT APPROVAL FOR ACCESS TO WYOMING AND REVIEW AND APPROVAL OF DRAINAGE PLAN.

EL PASO ELECTRIC:

~~El Paso Electric provided a "draft" version for the release of easement, which was granted by Quit Claim Deed (Vol 993, Page 2045). The document is route to being recorded, any and all other easements will remain in full force and effect.~~

The recorded Release of Easement (Doc 20180063936) is specific to the referred document only. All other easements within this property will remain in full force and effect. Future land rights shall be obtained by separate instrument.